



October 26, 2015

**Via Email and Facsimile**

**Email: BOER@hancockcountyga.gov**

**Fax: (706) 444-0989**

The Hancock County Board of Elections and  
Registration

Kathy Ransom (Chair)

Nancy Stephens (Vice Chair)

Jim Youmans (Secretary)

Robert Ingram (Member)

Linda Clayton (Member)

12630 Broad Street

P.O. Box 118

Sparta, GA 31087

**BOER.Supervisor@HancockCountyGA.gov**

**Fax: (706) 444-0989**

Ms. Tiffany Medlock

Supervisor of Elections

Hancock County Board of Elections and  
Registration

12630 Broad Street

P.O. Box 118

Sparta, GA 31087

**Email: countyclerk@hancockcountyga.gov**

**Fax: (706) 444-6221**

Hancock County

The Hancock County Board of Commissioners

Helen G. "Sistie" Hudson (Chairman)

Gloria B. Cooper (District 1 Commissioner)

Steven Oster Hill (District 2 Commissioner)

Jesse Bolden (District 3 Commissioner)

Theresa H. Kell (District 4 Commissioner)

Mr. Borderick Foster (Hancock County Clerk-  
Road Administrator)

12630 Broad Street

Sparta, Georgia 31087

**Email: andreagna@bellsouth.net**

**Fax: (706) 245-0626**

Ms. Andrea (Runyan) Grant

Counsel to the Hancock County BOER

Law Office of Andrea Grant, LLC

P.O. Box 60

504 Bowers Street

Royston, GA 30662

**Re: Notice Letter Pursuant to Section 8 of the National Voter Registration Act  
(52 U.S.C. §§ 50207, 50210, *et seq.*)**

Dear Madams and Sirs:

We write on behalf of the Georgia NAACP; the Georgia Coalition for the Peoples' Agenda; persons eligible to vote in Hancock County and/or in the City of Sparta that these organizations represent; Merritt Hubert;

Taurus Hubert; Martee Flournoy; Cynthia Franklin; and other persons similarly situated, including, but not limited to, the individuals identified on Exhibit 1 (attached hereto), to notify you that the Hancock County Board of Elections and Registration [hereinafter, “BOER”]; individual members of the BOER acting in their official capacities, including Kathy Ransom (Chair), Nancy Stephens (Vice Chair), Jim Youmans (Secretary), Robert Ingram (Member), and Linda Clayton (Member); and the Hancock County Supervisor of Elections, Tiffany Medlock [hereinafter, “SOE”], acting in her official capacity, individually and/or while acting in concert with one another [hereinafter, “Respondents”], have conducted, and are continuing to conduct, voter purges and/or voter list maintenance activities in violation of Section 8 of the National Voter Registration Act (52 U.S.C. § 20507).

Based upon our investigation to date, it appears that Respondents have violated, and are continuing to violate, 52 U.S.C. § 20507(b)(1) and 52 U.S.C. §§ 20507(d)-(f) by:

(1) challenging and removing active as well as inactive electors registered to vote in Sparta, Georgia, because of alleged address changes without following the NVRA’s mandatory address confirmation procedures; and/or,

(2) by selectively challenging and/or removing only electors registered to vote in Sparta in violation of the NVRA’s requirement that said challenges and/or removals be performed in a uniform (i.e., jurisdiction-wide) and non-discriminatory manner.

For the reasons discussed below, we urge you to immediately restore all electors to the Hancock County voter registration list who have been removed in violation of Section 8 of the NVRA and to immediately cease and desist from continuing to challenge and/or remove electors from the Hancock County voter registration list in violation of Section 8 of the NVRA.

### **1. Section 8(d) of the NVRA Provides the Exclusive Method For Removing Voters Eligible to Vote in Federal Elections from the List of Eligible Electors Because of Address Changes**

Section 8(d) of the NVRA (“Section 8(d)”) sets forth the *exclusive* method for removing active and inactive electors who are eligible to vote in federal elections from the official Hancock County voter registration list due to alleged address changes (52 U.S.C. § 20507(d)).<sup>1</sup>

Specifically, Section 8(d) prohibits election officials from removing electors eligible to vote in federal elections from the official voter registration list based upon a change of residence unless the registrant “(A) confirms in writing that the registrant has changed residence to a place outside the registrar’s jurisdiction in which the registrant is registered; or (B)(i) has failed to respond to a notice [asking the voter to send a postage pre-paid, pre-addressed card to confirm his or her address has not changed]; and (ii) has not voted or appeared to vote...in an election...beginning on the date of the notice and ending on the day after the date of the second general election for Federal office that occurs after the date of the notice.” 52 U.S.C. § 20507(d); *see also U.S. Student Ass’n Found. v. Land*, 546 F.3d 373, 381-82 (6th Cir. 2008) (a registered elector cannot

---

<sup>1</sup> Registered electors in Hancock County are eligible to vote in federal elections since the State of Georgia maintains a unitary voter registration process for state and federal elections.

be removed “from an official registration list on the grounds that his or her residence has changed unless the specified criteria of [Section 8] are met....”).

Moreover, 52 U.S.C. §§ 20507(e) and (f) allow registered voters to update their address as late as on Election Day and vote a regular ballot when they have moved between addresses within the same county and congressional district.

As discussed more fully below, Respondents have repeatedly violated Section 8 of the NVRA by challenging and/or purging registered electors from the official list of eligible voters in Hancock County.

## **2. Respondents are Challenging and/or Purging Electors Eligible to Vote in Federal Elections Because of Alleged Address Changes without Complying with the Procedures Mandated by Section 8(d) of the NVRA**

Despite the fact that Section 8(d) strictly limits the manner in which registered voters eligible to vote in federal elections may be removed from the list of eligible electors because of address changes, Respondents have repeatedly challenged and/or removed registered voters from the eligible list of electors without following the procedures mandated by the NVRA.

In fact, numerous electors registered to vote in Sparta, Georgia have been unlawfully challenged and/or removed from the Hancock County voter registration list by Respondents in 2015 because of alleged address changes in violation of Section 8(d). *See* Exhibit 1. In addition, electors registered to vote in Sparta, who have not yet been subjected to challenge and removal, are in imminent danger of being subjected to unlawful challenges and removals in the future because of Respondents’ custom, policy and/or repeated practice of violating Section 8(d).

We are informed and believe and thereon allege that despite the fact that Hancock County, the Hancock County Board of Commissioners or individual members of the Board of Commissioners knew or should have known of the repeated violations of Section 8 of the NVRA by the BOER and/or SOE, none of these County officials or entities have taken action to stop or remedy these unlawful challenges and/or removals by the BOER and/or SOE. As a result, we are informed and believe and thereon allege that Hancock County, the Hancock County Board of Commissioners or the individual county commissioners have condoned, encouraged, authorized and/or ratified the repeated and ongoing violation of Section 8(d) by the BOER and/or the SOE.

### **a. Respondents’ Challenges and/or Purges of Registered Voters based upon Electors having Different Addresses in the Enet and DDS Records Violates Section 8(d) of the NVRA**

Available evidence indicates that many challenges and/or purges of registered voters by the Respondents in 2015 were based upon the fact that some Sparta electors had a different address on file with the Georgia Department of Driver’s Services (DDS) than the address on their voter file in the statewide voter registration database (Enet).

However, the fact that an elector may have a different address on file with DDS than the one on file in the Enet system does not establish that the elector is not qualified to vote in Sparta or Hancock County and does not establish that the voter intended to move his or her voting domicile to another location outside of the jurisdiction.

Nevertheless, Respondents issued letters to Sparta electors based upon the alleged differences between their Enet and DDS addresses and summoned them to appear at challenge hearings with proof of their current residence address. The letters warned the challenged electors that the “[f]ailure to respond to this summons will result in the deletion of your name from the Hancock County Elector’s List.” (Emphasis added). A true and correct copy of such a letter that was received by Martee Flournoy dated September 25, 2015, is attached and incorporated herein by reference as Exhibit 2. Mr. Flournoy, along with numerous other electors listed on Exhibit 1, have been subjected to this unlawful challenge process and/or purged from the voter registration rolls because of the DDS/Enet address disparity in violation of Section 8(d).<sup>2</sup>

**b. Respondents’ Challenges and/or Purges of Registered Electors based upon Claims by Don Bevill that Electors No Longer Resided at the Address Listed on their Voter Registration Records Violated Section 8(d) of the NVRA**

In 2015, numerous voters eligible to vote in federal elections were challenged and/or purged from the list of eligible Hancock County electors by Respondents based upon claims by Don Bevill, another Hancock County elector, to the effect that the voters were no longer residing at the address listed on their voter registration records or could not be found at that location on a particular occasion.

Many of these challenges were based upon hearsay, speculation, rumor and innuendo. Some of the challenges were based upon uncorroborated claims by Harrell Lawson, an associate of Mr. Bevill, and anonymous or unnamed sources, that electors were no longer living at a particular address or could not be found there on a particular day. In fact, Respondents allowed challenges to proceed and purged electors from the rolls without proof that the elector intended to change his or her voting domicile to another jurisdiction or was not temporarily away from the city or county to attend college, help a sick relative, because of employment commitments or for other reasons.

In fact, Respondents challenged and/or removed numerous registered electors from the official voter registration list as a result of Mr. Bevill’s claims without complying with the procedures mandated by Section 8(d). Some of the registered electors who were unlawfully subjected to these challenge proceedings included, but were not limited to, Cynthia Franklin, Merritt and Taurus Hubert and other electors on Exhibit 1.

---

<sup>2</sup> The electors listed on Exhibit 1 are not all of the electors who have been challenged and/or removed from the voter rolls as a result of these challenge hearings and purges. The BOER and/or SOE are continuing to challenge and/or purge electors in violation of Section 8(d) of the NVRA and have failed heretofore to comply fully with our Open Records Request which sought to identify all electors who have been challenged or purged through these processes. Therefore, we reserve the right to amend or modify this letter as additional evidence becomes available.

**c. Respondents' Challenges of Electors Based upon Claims by BOER Vice Chair Nancy Stephens Violated Section 8(d) of the NVRA**

Available evidence also indicates Respondents challenged and/or purged registered electors based upon claims by the BOER Vice Chair, Nancy Stephens, that electors no longer lived at the residence address listed on their voter registration records. We are informed and believe that despite the fact that Ms. Stephens personally challenged electors, she was permitted to vote on the challenges. These challenges violated Section 8(d) of the NVRA because the BOER failed to provide electors with the requisite written notice mandated by the NVRA and the removals took effect before the passage of two federal election cycles.

**3. Respondents are Violating Section 8(b)(1) of the NVRA by Challenging and Purging Electors in a Non-Uniform and Discriminatory Manner**

52 U.S.C. Section 20507(b)(1) provides, in pertinent part:

“Any State program or activity to protect the integrity of the electoral process by ensuring the maintenance of an accurate and current voter registration roll for elections for Federal office-

(1) shall be uniform, nondiscriminatory, and in compliance with the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.) [now 52 U.S.C. 10301 et seq.]....”

**a. Respondents' Voter Challenge and Purge Activity Violates Section 8(b)(1) of the VRA because it is not being Conducted in a Uniform Manner**

The term “uniform” as used in Section 8(b)(1) of the NVRA (“Section 8(b)(1)”) is intended to mean “that any purge program or activity **must be applied to an entire jurisdiction.**” House Report No. 103-9, H. R. REP. 103-9, 15-16, 1993 U.S.C.C.A.N. 105, 119-20 (emphasis added). Respondents are violating Section 8(b)(1) by targeting only electors with Sparta addresses in the aforementioned challenge and purges and are not conducting these activities across the entire county. By singling out only those electors registered to vote in Sparta, Respondents have violated, and are continuing to violate, Section 8(b)(1).

**b. Respondents' Voter Challenge and Purge Activity Violates Section 8(b)(1) of the NVRA Because it discriminates against African American Sparta Electors**

Based upon currently available information, we are informed and believe and thereon allege that the voter challenges and/or purges conducted by Respondents, as described above, are being applied in a discriminatory manner against African Americans registered to vote in Sparta and have a discriminatory impact on African Americans in violation of Section 8(b)(1).<sup>3</sup>

---

<sup>3</sup> We propounded an Open Records Request on the BOER and SOE seeking the race and ethnicity of all voters who have been subjected to the aforementioned challenges and purges. To date, and despite good faith meet and confer efforts, Respondents have failed to produce all records responsive to the Open Records Request for this demographic data. Accordingly, we reserve the right to modify, amend and/or withdraw this claim as additional evidence becomes available.

#### 4. Conclusion

Based upon the foregoing, it appears that Respondents have repeatedly challenged and purged electors registered to vote in Sparta because of alleged address changes without complying with the procedures mandated by Section 8(d). It also appears that these challenges and removals have not been conducted uniformly and discriminate against African Americans in violation of Section 8(b)(1).

Therefore, we urge you to immediately restore all electors to the list of eligible voters who have been removed from the rolls in violation of Sections 8(b)(1) and 8(d). We also urge you to immediately cease and desist from conducting such challenges and purges in the future.

Please be advised that we and our clients shall reserve the right to pursue all available legal remedies, including remedies that allow for an award of attorneys' fees and costs, should you choose to continue to violate Section 8 of the NVRA and refuse to immediately restore the unlawfully purged voters to the rolls.

Thank you for your attention and anticipated cooperation.



Rev. Dr. Francys Johnson  
President, Georgia NAACP  
100 Edgewood Avenue, SE, 16th Floor  
Suite 1610  
Atlanta, Georgia 30314  
Telephone: (404) 577-8977  
Email: francysjohnson@naacpga.org

*Helen Butler*  
Helen Butler  
Executive Director  
The Georgia Coalition for the Peoples' Agenda  
100 Edgewood Avenue, Suite 1008  
Atlanta, Georgia 30303  
Telephone: (404) 653-1199  
Email: hbutlergcpa@gmail.com

*Julie M. Houk*  
Julie M. Houk  
Senior Special Counsel  
Voting Rights Project  
Lawyers' Committee for Civil Rights Under Law  
1401 New York Avenue NW, Suite 400  
Washington, DC 20005

Telephone: (202) 662-8391<sup>4</sup>

Email: [jhouk@lawyerscommittee.org](mailto:jhouk@lawyerscommittee.org)

Cc: Brian Kemp, Georgia Secretary of State

---

<sup>4</sup> Admitted to practice law only in the District of Columbia, California, New Hampshire, Massachusetts, and Illinois (registered as voluntarily inactive in Illinois).

**EXHIBIT 1 TO NVRA NOTICE LETTER****PARTIAL LIST OF KNOWN CHALLENGED AND/OR PURGED ELECTORS REGISTERED TO VOTE IN SPARTA**

(Please note that this list is based upon currently available information and that we reserve the right to modify this list as additional information and evidence becomes available).

**CHALLENGED VOTERS**

Page 1

<b><u>First</u></b>	<b><u>Last</u></b>
Briggett R.	Andrews
Sarah Lee	Argro
Maya	Barnes
Darrick Barnard	Barnes
Kimberly Montresa	Barnes
Valissa Leshawn	Barnes
Ricky Lee	Barnes
Ernest Lee	Barnes
Danita Ann	Bates
Sierra	Battle
Virginia	Battle
Don	Bevill
Shanta	Bly
Anne Pearl	Boone
Crystal	Brown
Andrew	Brown
Clifton Lamont	Brown
Crystal Nigel	Brown
Melvin/Roy M.	Burgamy
William E.	Burgamy
Johnathan Isaiah	Clayton
Jessica Nicole	Clayton
Samuel	Clayton
Tarneshia Shaniek	Cobb
Tarneshia	Cobbs
Linton Lee	Cobbs
Irene	Cooper
Thomas Allan	Culver
Emily S.	Davis
Charlie James	Dawson
Luther	Devereux
Carey	Devereux
Samuel	Deverow

<b><u>First</u></b>	<b><u>Last</u></b>
Michael	Ephraim
Rosetta	Ephraim
Torez	Evans
Tommy Leonard	Evans
Torez Demetreus	Evans
Marcus Leonard	Evans
Michael Curtis	Evans
Felicia	Evans
Connie	Evans
Martee	Flournoy
Fabienne C.	Fluellen
Shervecia Shanquis	Fluellen
Montkevious	Fluellen
Tenita Shivers	Font
Cardero Cartez	Foster
Aiisha	Franklin
De'Anna	Franklin
Cynthia Diane	Franklin
Deanna Shardae	Franklin
Deonte Kyle	Franklin
Loretta	Franklin
Latasha S.	Gilbert
Christina N	Gilbert
Vendal	Gilbert
Brian	Glover
Herbert	Grable
Tamara E.	Grier
James	Griffin
Frank	Hamm
Troy	Harden
Vernell	Harris
Shonda	Harris
Thomas	Harris III
Christopher	Heath



**CHALLENGED VOTERS**

Page 2

<u>First</u>	<u>Last</u>
Pierre	Hill
Crystan Denean	Hill
Joyce	Hill
Jacqueline	Holloman
Emma D.	Horton
Antwane Taurus	Hubert
Merritt	Hubert
Julius Walter	Hunt
Jamesia Sandretta	Hunt
Martha	Ingram
Glen	Ingram
Angela	Ingram
Jennifer	Ivey
Jimmy Eldridge	Johnson
Emma Walker	Johnson
Kenneth	Johnson
Duane	Jones
Natasha	Jones
Alicia	Jordan
Marvin L.	Kendrick
Keith	Kendrick
Laryssa	Kitchens
Trenell Larssa	Kitchens
Ceimecia	Lamar
Troy V.	Latimore
Corderia Deandre	Lawrence
Keith	Leslie
Dorothy Ann	Leslie
Shanee Shandrina	Lewis
Marian Cobbs	Lewis
Brandon	Littleton
Oprah	L'Neal
Carl	Lott Jr.
Inell Mitchell	Lumpkin
Nelson	Mitchell
Garrett	Moore
Garrett	Moore
Daisy Mae	Morris
Angelia Marie	Morris

<u>First</u>	<u>Last</u>
Lamar	Mundy
Paul	Mundy
Doretha Franklin	Nesbitt
Prem Kishor	Patel
Michael	Primas
Michael	Primas
Cornelia Nicole	Reese
Cornelia	Reese
Je'lesi	Reese
Carrie	Reeves
Danny	Reynolds
Blake	Robbins
Lionel Morrell	Rogers
Maurice Antonio	Rogers
Tanislyn	Rubin
Juan R.	Ruff
Mamie Lewis	Samas
Bruce	Satcher
Kenneth	Satcher
Alice	Scott
Alice Hollman	Scott
Yolondrea Rocheldra	Shields
Twaniqua	Shivers
Tiffany	Smith
Brandon	Smith
Tiffany Lovette	Smith
Emily S.	Smith
Jamel Latrell	Smith
Sabrina Solontia	Smith
Lula Mae	Stembridge
Priscilla	Stembridge
Robert	Stembridge
Jonathan	Tescher
Brandon	Thomas
Sanquan	Thomas
Johnny	Thornton
James	Tucker
Gregory	Tucker
Angela L.	Tucker
Shirley A.	Tucker
Peggy	Tucker

Page 3

**CHALLENGED VOTERS**

<u>First</u>	<u>Last</u>
Patrice	Tucker
Ronald	Tyrone
Arvashawn Quintina	Walker
Edward	Walker
David	Waller
Patrick	Warren
Patrick	Warren
Tangela	Washington
Roger	Washington
Roger	Washington
Sherrod	Williams
Joseph	Willis
Dana W.	Wilson
Shani M.	Wilson
James G.	Wilson
Martin	Wilson
Macarthur	Worthen

*Kathy Ransom*  
CHAIR

*Nancy Stephens*  
VICE CHAIR

*Linda Clayton*  
MEMBER

*Robert Ingram*  
MEMBER

*Jim Youmans*  
SECRETARY



Hancock County  
Board of Elections and Registration

*Tiffany N. Medlock*  
ELECTIONS SUPERVISOR

*Ryan James Barr*  
CHIEF DEPUTY REGISTRAR

P.O. BOX 118  
10571 HIGHWAY 15  
SPARTA, GEORGIA 31087

706-444-5259  
FAX: (706) 444-0989  
BOER@HancockCountyGA.gov

September 25, 2015

Martee Flournoy  
12664 Broad Street  
Sparta, GA 31087

Dear Mr. Flournoy,

Pursuant to Georgia Election Code 21-2-228, the residence address on your Voter Registration Record is under evaluation and your right to remain on the Elector's List for Hancock County has been challenged by the Hancock County Board of Elections and Registration.

You are hereby summoned to appear before the Hancock County Board of Elections and Registration at the temporary location of the Hancock County Courthouse on Monday, Thursday October 1, 2015 at 9 AM. This meeting will take place in the Jury Room within the temporary Courthouse location. You must be prepared to present one or more of the following applicable documents at this hearing:

1. A copy of a current utility bill in your name, showing your physical address.
2. A copy of a current bank statement or bills in your name.
3. A rental or lease agreement in your name showing your physical address.
4. Personal property, motor vehicle and property registrations showing your name and physical address.
5. City or county tax bill or receipt in your name showing your address.
6. Any additional information that would establish your current residence address to include
  - a. Government document
  - b. Paycheck or government check
  - c. Valid Georgia driver's license or identification card with current address

Failure to respond to this summons will result in the deletion of your name from the Hancock County Elector's List. Any of the above information can be presented to the Board of Elections and Registration prior to the hearing date as well. Any questions regarding this correspondence should be addressed to the office at the address or phone number above.

Thank you for your cooperation and prompt attention to this matter.

Sincerely,

*Tiffany N. Medlock*  
Tiffany N. Medlock